



**RICHARD CORDRAY**  
OHIO ATTORNEY GENERAL

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OCT 1 2009

September 30, 2009

FCC Mail Room

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12th Street, SW, Room TW-A306  
Washington, DC 20554

Re: *In the Matter of Federal State Joint  
Board on Universal Service, CC Docket No.  
96-45.*

Dear Ms. Dortch:

I represent the Public Utilities Commission of Ohio ("Ohio Commission") in this proceeding and I am writing to you in that capacity.

Accompanying this letter is a copy of a Finding & Order released by the Ohio Commission on September 15, 2009. This Finding & Order was issued pursuant to the FCC's directive in CC Docket No. 96-45 requiring State commissions to certify that the rural and non-rural carriers eligible to receive federal high-cost support in their State (including high cost loop support, local switching support, high cost support received pursuant to the purchase of exchanges, and high cost model support) will use such funding only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with § 254(e) of the Telecommunications Act of 1996.

As you can see from the attached Order (Attachment 1), the Ohio rural carriers previously identified by the Universal Service Administrative Company (USAC) as eligible to receive federal USF support have filed sworn affidavits with the Ohio Commission demonstrating their intent to use funding in a manner consistent with Section § 254(e) of the Telecommunications Act of 1996.

In further keeping with the federal certification requirements, also attached to this letter is a list (included as Attachment 2) identifying the specific rural carriers that were granted certification via the September 15, 2009 Finding & Order, along with each carrier's unique 6-digit NECA study area code.

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List ABCDE

Marlene H. Dortch

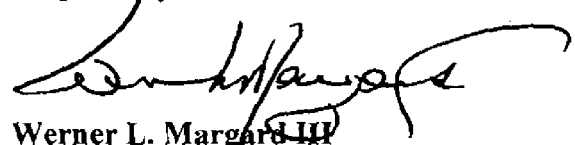
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Accordingly, the Ohio Commission certifies that all of the above-referenced carriers have indicated in writing their intent to use the funding only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, consistent with § 254(e) of the Telecommunications Act of 1996.

**Please send me a time-stamped copy of this letter in the enclosed self-addressed envelope (an extra copy of this letter is enclosed for that purpose).** Otherwise, if you should have any questions or comments regarding this submittal, please contact me at the number below or Jennifer Reed, Utilities Specialist 1 with the PUCO, at (614) 644-8000.

Respectfully submitted,



**Werner L. Margard III**  
Public Utilities Section  
180 E. Broad Street, 9<sup>th</sup> Floor  
Columbus, OH 43215  
(614) 466-4396  
Fax: (614) 644-8764

cc: Karen Majcher, USAC

In the Matter of the Commission )  
Investigation of the Intrastate Universal ) Case No. 97-632-TP-COI  
Service Discounts. )

### The Commission finds:

- (1) On May 7, 1997, the Federal Communications Commission (FCC) issued a Report and Order in CC Docket 96-45 (96-45) (*In the Matter of Federal-State Board on Universal Service*) adopting rules to promote universal service consistent with the requirements of the Telecommunications Act of 1996 (1996 Act). In its 96-45 decision, the FCC, among other things, set forth parameters for the states to determine those carriers eligible to receive federal universal service support. The states were further to determine those carriers that should be classified as rural carriers or non-rural carriers for the purpose of federal universal service support consistent with the Communications Act of 1934, as amended.
- (2) On May 23, 2001, the FCC released its Fourteenth Report and Order and Twenty-Second Order on Reconsideration in CC Docket No. 96-45, and determined that states should be responsible for deciding whether rural carriers are using their universal service high cost support, specifically, high cost loop support [47 C.F.R., Part 36], local switching support [47 C.F.R. §54.301], and any high cost support received as a result of a purchase of exchanges [47 C.F.R. §54.305] consistent with Section 254(e). Under Section 254(e), carriers must use universal service support "only for the provision, maintenance, and upgrading of facilities and services for which the support is intended." Accordingly, the FCC stated that it would require the states that wish to receive federal universal service high cost funding support for rural carriers within their boundaries to file a certification with the FCC and the Universal Service Administrative Company (USAC) stating that all federal high-cost funds flowing to those carriers in that state will be used in a manner consistent with

Section 254(e). Absent such certification, carriers will not receive such support. Moreover, in the event that a State determines that a carrier has not complied with Section 254(e), the State shall have the authority to revoke a carrier's certification.

- (3) FCC certifications for federal high cost funding are to be submitted annually on October 1, in order to be eligible for high cost support throughout the next full calendar year. This Entry initiates the ninth annual proceeding conducted by the Commission pursuant to these federal directives.
- (4) In order to comply with the FCC's certification requirements, on August 26, 2009, the Commission released an Entry in the instant docket calling for notarized affidavits from those rural carriers receiving federal universal service high cost funding in Ohio, attesting that they will utilize such support consistent with Section 254(e). All affected carriers were required to use a template affidavit form provided by the Commission (as Attachment A in the August 26, 2009 Entry), and were directed to file such affidavits by September 14, 2009. Accordingly, properly filed affidavits were received from the following carriers:

Arcadia Telephone Company d/b/a TDS Telecom  
The Arthur Mutual Telephone Company  
Ayersville Telephone Company  
Bascom Mutual Telephone Company  
Benton Ridge Telephone Company  
Buckland Telephone Company  
Century Tel of Ohio, Inc.  
The Champaign Telephone Company  
The Chillicothe Telephone Company  
The Columbus Grove Telephone Company  
The Conneaut Telephone Company  
Continental Telephone Company d/b/a TDS Telecom  
Doylestown Telephone Company  
Farmers Mutual Telephone Company  
Fort Jennings Telephone Company  
Frontier Telecommunications of Michigan  
Germantown Independent Telephone Company  
Glandorf Telephone Company, Inc.  
Kalida Telephone Company, Inc.

Little Miami Telephone Corporation d/b/a TDS Telecom  
McClure Telephone Company  
Middle Point Home Telephone Company  
Minford Telephone Company  
New Knoxville Telephone Company  
Nova Telephone Company  
Oakwood Telephone Company d/b/a TDS Telecom  
Orwell Telephone Company  
The Ottoville Mutual Telephone Company  
Pattersonville Telephone Company  
Ridgeville Telephone Company  
Sherwood Mutual Telephone Association, Inc.  
Sycamore Telephone Company  
Telephone Service Company  
Vanlue Telephone Company d/b/a TDS Telecom  
Vaughnsville Telephone Company  
Wabash Telephone Company

- (5) The Commission's Staff has reviewed the affidavits submitted by the aforementioned companies, and has concluded that they satisfy the FCC's requirements for certification to receive high cost funding consistent with Section 254(e) of the 1996 Act.
- (6) The Commission finds that certification of the aforementioned carriers to receive federal high cost support, as well as high cost loop support [47 C.F.R., Part 36], local switching support [47 C.F.R. §54.301], and any high cost support received as a result of a purchase of exchanges [47 C.F.R. §54.305] for rural carriers, should be granted.

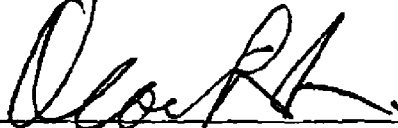
It is, therefore,

ORDERED, That all carriers identified in Finding (4) above are hereby certified to the FCC and USAC as being eligible to receive federal high cost support, as well as high cost loop support [47 C.F.R., Part 36], local switching support [47 C.F.R. §54.301], and any high cost support received as a result of a purchase of exchanges [47 C.F.R. §54.305] for rural carriers, as such carriers have demonstrated their intent to utilize such funding in a manner consistent with Section 254(e) of the Telecommunications Act of 1996. It is, further,

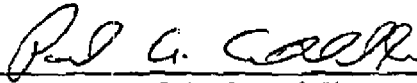
ORDERED, That nothing contained in this Finding and Order shall be deemed binding upon this Commission in any subsequent investigation or proceeding involving the justness or reasonableness of any rate, charge, rule, or regulation. It is, further,

ORDERED, That a copy of this Finding and Order be served upon the Ohio Telecom Association and Telephone Service Company.

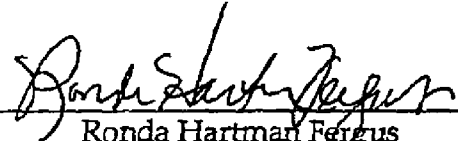
THE PUBLIC UTILITIES COMMISSION OF OHIO



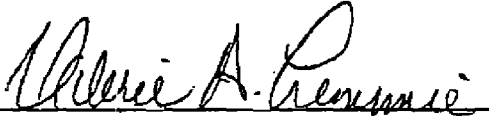
Alan R. Schriber, Chairman



Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie

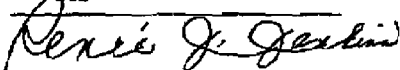


Cheryl L. Roberto

JR:sm

Entered in the Journal

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Renee J. Jenkins

Secretary